

BS01-168-CON

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MARK A. KIRKPATRICK

Serial No.: 10/630,866

Filed: July 31, 2003

For: SYSTEM AND MEHTOD TO MAINTAIN
CHARGE OF VEHICLE BATTERY USING
LIGHT ENERGY

Art Unit: 2838

Examiner: TSO, Edward H.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, **Bell South Intellectual Property Corporation**, of one hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Numbers **6,617,822 B1** and **6,448,740 B1**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney or agent of record.

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Date: March 29, 2004

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Customer No. 28970

Respectfully submitted,

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